

October 4, 2006

**VIA ELECTRONIC DELIVERY**

Marlene H. Dortch, Esquire  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

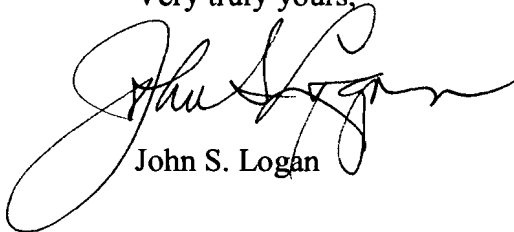
**Re: Notification of Ex Parte Communication  
WT Docket No. 06-49**

Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that on October 3, 2006, Anne Swanson of this firm and I met with the following individuals in the Wireless Telecommunications Bureau: John Branscombe, Division Chief, Spectrum and Competition Policy Division; Paul D'Ari, Deputy Division Chief; Wayne Leighton; and Martin Liebman, Senior Engineer, to provide background on and review the positions Teletrac, Inc. ("Teletrac") has previously taken in the above-referenced docket. At the meeting, Teletrac provided handouts that describe Teletrac's history and present operations and that present a written summary of the issues in the proceeding affecting Teletrac. A copy of each handout is attached.

In accordance with the requirements of Section 1.1206 of the Commission's rules, an original and one copy of this notice are being filed and a copy of this notice is being provided to the Commission participants in the meeting.

Very truly yours,

  
John S. Logan

Enclosure

cc w/o enclosure (by email):

John Branscombe, Esquire  
Paul D'Ari, Esquire  
Mr. Martin Liebman  
Dr. Wayne Leighton

**TELETRAC HAS A LONG HISTORY OF PROVIDING ESSENTIAL  
COMMERCIAL, LAW ENFORCEMENT, AND PUBLIC SAFETY  
SERVICES IN MAJOR AMERICAN METROPOLITAN AREAS**  
**(WT Docket No. 06-49)**

**I. Teletrac Has Pioneered M-LMS Based Vehicle Location Services**

- Teletrac's entry into the site-based multilateration Location and Monitoring Service ("M-LMS") began with experimental licenses in the mid-1990s.
- Teletrac was an active participant in the FCC's original proceedings to develop rules for what has become today's M-LMS service. At that time, numerous other parties also participated; in the succeeding years, however, the other companies that had offered M-LMS service have ceased to exist.

**II. Today, Teletrac Serves Important Public Service Needs Throughout the United States**

- Teletrac, Inc., through its subsidiary Teletrac License, Inc., holds grandfathered site-based M-LMS licenses in Chicago, Dallas, Detroit, Houston, Los Angeles, and San Diego. Teletrac has continuously provided M-LMS services in these markets since the mid-1990s.
- Teletrac has invested almost a third of a billion dollars (over \$300 million) in developing and configuring these services. The establishment of its business has relied upon the development and configuration of highly tailored and customized equipment and software.
- Teletrac today uses its M-LMS licenses to provide vehicle tracking and location services for commercial customers and federal, state, and local government agencies. They, in turn, use the service for fleet management, law enforcement, and public safety needs. Representative customers include the Anaheim, California, Police Department; the Federal Bureau of Investigation; the United States Customs Service; a number of ambulance fleets and services; and the Los Angeles, California, Department of Water and Power.
- Teletrac's spectrum-based service is the core part of an integrated service that provides a wide range of fleet management services, including sophisticated software options not only for locating vehicles but for evaluating maintenance, fuel consumption, tax allocation, and other logistical and financial considerations. These ancillary and supplemental customer services are keyed off the spectrum-based location capability.
- Many of Teletrac's customers find the M-LMS service a preferred solution to GPS-based systems, which Teletrac also can supply, because GPS does not usually offer the same degree of precision or the reliability and continuous level of information essential for public safety, theft prevention, property recovery, and routing decisions.

**THE RECORD DEMONSTRATES THAT THE FCC SHOULD PERMIT  
GRANDFATHERED SITE-BASED M-LMS LICENSEES, LIKE  
TELETRAC, TO CONTINUE OPERATING UNDER THE CURRENT  
M-LMS OPERATIONAL RULES**

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**(WT Docket No. 06-49)**

- I. Allowing Teletrac To Continue Offering Its Current Services Under the Existing Regulatory Standards Finds Support in the Record and Faces No Substantiated Objection.
  - A. Teletrac's Contentions Are Consistent with Comments by Part 15 Parties.
    1. No Part 15 party disagreed with Teletrac's comments.
    2. Some Part 15 filers, such as the Part 15 Coalition, cited Teletrac's comments with approval.
    3. Part 15 users, including the Part 15 Coalition, favored retaining the current rules overall and opposed changes to the operational rules unless the FCC can ensure full interference protection to Part 15 devices.
  - B. Similarly, Teletrac's Position Is Consistent with Geographic M-LMS Licensee Comments.
    1. No geographic M-LMS licensee took issue with Teletrac's position.
    2. In fact, Progeny LMS and Telesaurus both cited Teletrac's comments, with approval.
      - Progeny LMS expressly supported Teletrac's position that it would be unnecessarily disruptive, wasteful, and contrary to the public interest to require grandfathered M-LMS systems to conform to new rules and supported Teletrac's call for grandfathering.
      - Telesaurus favored retaining M-LMS' focus on vehicle location and cited Teletrac as a company that, like itself, wanted to operate M-LMS for vehicular location under the current rules.
  - C. Only One Party Objects to Teletrac's Position.
    1. In its comments, New America Foundation *et al.* ("NAF") proposed that the FCC reclaim the spectrum not only of unbuilt M-LMS systems but the spectrum used by Teletrac's operational systems and asked the FCC to devote it to "more productive [but unspecified] services."
    2. The services that NAF apparently prefers, however, are existing Part 15 services that many years of actual experience in markets all across the country has shown to be completely consistent with Teletrac's operations.

3. In the decade-plus that it has been operating, Teletrac has received not a single documented complaint from a Part 15 user.
4. Were the FCC to heed NAF's suggestion, it should keep in mind that, in previously relocating services to reclaim spectrum, the agency has consistently provided displaced licensees with alternative spectrum and required that new entrants reimburse the cost of relocation.
5. NAF's claim that the FCC needs to cancel M-LMS licenses in order to keep such licensees from seeking more spectrum rights wholly ignores that Teletrac has operated its systems for more than a decade without seeking anything other than stability in the rules that govern its business.

II. Grandfathering Is Clearly the Correct Option.

- A. Whatever action the FCC ultimately takes to provide relief for geographic-based M-LMS licensees that have not built out their authorized systems, the FCC should permit existing site-based M-LMS licensees that have built out their systems to elect to continue operating under the current M-LMS operational rules.
- B. Separate and apart from grandfathering concerns, the FCC should make express provision in its rules for site-based licensees, like Teletrac, to relocate antenna sites as long as they do not increase their coverage area beyond the system footprint in effect as of January 25, 1999. That date was the short filing date for the first M-LMS auction (Auction No. 21), and it was also the date as of which the FCC staff required grandfathered licensees to fill their contours.